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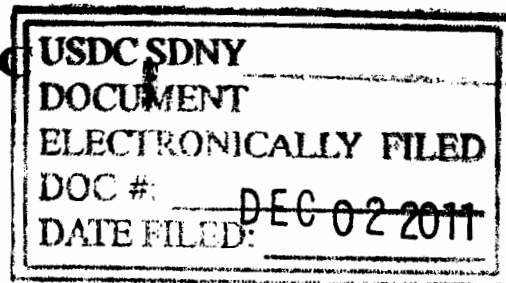
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December 1, 2011

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Hon. George B. Daniels
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 630
New York, New York 10007

Re: Teen Model v. Jason Lee Parry, et al.
Index: 11-CV-5766 (GBD)

Your Honor,

Pursuant to the instructions of Your Honor on November 8, 2011, and Federal Rule of Civil Procedure 26(f), the parties—Teen Model (“Plaintiff”); Jason Lee Parry (“Parry”); Blood is the New Black (“BITBN”); Urban Outfitters, Inc. (“Urban”); and Brandy & Melville N.Y. Inc. (“Brandy”)—by their respective counsel, jointly confer to the Court as follows:

1. **Conference.** The parties held a teleconference on November 16, 2011 pursuant to Federal Rule of Civil Procedure 26(f) and agreed upon the following motion and discovery schedules.
2. **Motion Schedule.** In the event that any party moves this Court in lieu of and/or in addition to an Answer, such moving papers are to be served on or before **November 30, 2011**. Opposition papers are to be served on or before **January 10, 2012**. Any Reply papers are to be served on or before **January 31, 2012**. The Conference before Your Honor that is scheduled for **February 14, 2012** would serve as a hearing on any such motions.
 - a. Mr. Parry had not been previously served with the Amended Complaint at the time of the November 16, 2011 conference. Mr. Parry was personally served with the Amended Complaint on November 22, 2011. Accordingly, Mr. Parry will file his moving papers within 14 days, on or before December 6, 2011. Mr. Parry will comply with the remainder of the briefing schedule.

3. *Discovery Schedule.*

a. **Initial F.R.C.P. 26(a) Disclosures** shall be due on **December 2, 2011.**

- i. Mr. Parry's position is that there is no personal jurisdiction over him, and that he should not serve Initial Disclosures while the motion to dismiss for lack of personal jurisdiction is pending.

b. **Fact Discovery.** The parties have the following positions with respect to the deadline for the close of fact discovery.

- i. **Plaintiff's Position:** While the Proposed Scheduling Order of Your Honor, dated August 25, 2011, expresses that discovery shall be completed within 90 days of the first scheduling conference, which in this case would be February 14, 2011, such might not be feasible in light of the anticipated motion by defendant Parry to challenge jurisdiction, which would not be heard until said date. Plaintiff respectfully requests that if Parry so moves, that the deadline for the close of fact discovery be at least **sixty to ninety (60-90) days** from the decision on said anticipated motion to dismiss for lack of jurisdiction.
- ii. **Parry's Position:** Mr. Parry is not subject to personal jurisdiction in the State of New York and will not undertake activities that could be construed as consent to jurisdiction in New York. In the event the Court finds jurisdiction over Mr. Parry, then Mr. Parry will engage in discovery.
- iii. **BITNB's Position:** The hearing date on Motions challenging the operative Complaint is currently set for February 14, 2012. With at least two formal challenges to the operative Complaint filed, BITNB does not believe the pleadings will be set before February 14, 2012. The parties intend to propound written discovery and notice party and third-party witness depositions. At present, BITNB does not anticipate concluding fact discovery until approximately 90-120 days after the case obtains an "at issue" status.
- iv. **Urban's Position:** Urban agrees with BITNB's Position, above, and requests a Fact Discovery Cutoff Date no earlier than 90-120 days after the case obtains an "at issue" status.
- v. **Brandy's Position:** Brandy agrees with BITNB's Position, above, and requests a Fact Discovery Cutoff Date no earlier than 90-120 days after the case obtains an "at issue" status.

c. **Expert Discovery.** The parties have jointly agreed on the following deadlines:

- i. **Plaintiff's Expert Disclosures** (including Report(s) and any accompanying documents): within **four (4) weeks** after the close of Fact Discovery.
- ii. **Depositions of Plaintiff's Experts:** within **three (3) weeks** after the deadline for their disclosures.
- iii. **Defendant(s)' Expert Disclosures** (including Report(s) and any accompanying documents): within **two (2) weeks** after the deadline for the completion of depositions of Plaintiff's Experts.

iv. **Depositions of Defendant(s)' Experts:** within three (3) weeks after the deadline for their disclosures.

d. **Dispositive Motions.** Any dispositive motions are to be filed within four (4) weeks after the deadline to depose defendant(s)' Experts. Answering papers are to be served within 14 days. Reply papers are to be served within seven (7) days. In the event a dispositive motion is made, the date for submitting the Joint Pretrial Order shall be changed from that shown herein to three (3) weeks after the decision on the motion. The final pretrial conference shall be adjourned to a date four (4) weeks after the decision on the motion.

e. **Final Pre-trial Conference.** A final pre-trial conference will be held on _____, 2012 at _____ [Dates and times intentionally left blank for the Court's entry].

f. **Joint Pre-Trial Order.** The Joint Pretrial Order shall be filed no later than _____, 2012 [left blank for the Court's entry]. The requirements for the pretrial order and other pretrial submissions shall be governed by the Court's Individual Rules of Practice.

g. All motions and applications shall be governed by the Court's Individual Rules of Practice.

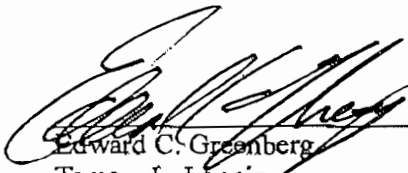
h. The parties shall be ready for trial within 48 hours' notice on or after _____, 2012 [left blank for the Court's entry].

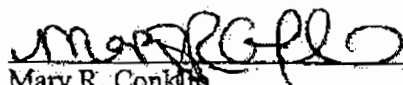
i. **Estimated Trial Time.** The parties each estimate that their time at trial for their respective witnesses and arguments will be as follows:

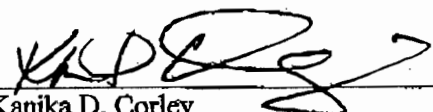
- i. Plaintiff: 3 days;
- ii. Parry: 1 day
- iii. BITNB: 2 days
- iv. Urban: 2 days
- v. Brandy: 2-3 days
- vi. Total: 10-11 days


4. The Next Case Management Conference will be held on February 14, 2012 at 11:00 a.m.

Respectfully Yours,


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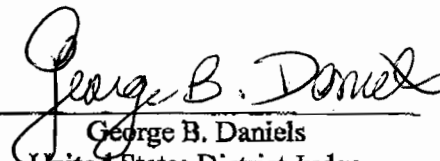

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SO ORDERED:

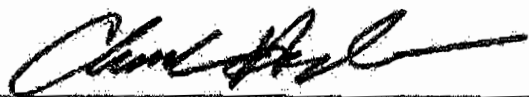
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George B. Daniels
United States District Judge
HON. GEORGE B. DANIELS



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SO ORDERED:

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United States District Judge